

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

PHILLIP DURAN,

Plaintiff,

vs.

Civ. No. 08-962 WPL/RHS

DOMINO'S PIZZA, LLC,

Defendant.

**ORDER GRANTING DEFENDANT'S  
SUPPLEMENTAL MOTION FOR ADDITIONAL TIME TO  
AMEND PLEADINGS AND JOIN ADDITIONAL PARTIES**

**THIS MATTER** comes before the Court on Defendant's Supplemental Motion for Additional Time to Amend Pleadings and Join Additional Parties [docket no. 59]. The Court had previously entered its Order (docket no. 55) allowing Defendant Domino's until May 15, 2009, to amend pleadings and join additional parties. There has been apparent difficulty in scheduling various depositions in Atlanta, Georgia and Dallas, Texas. Counsel for Defendant has now secured deposition dates for June 16, 2009 in Atlanta, Georgia and June 23, 2009 in Dallas, Texas. Plaintiff objects to the granting of this motion arguing that it will risk the postponement of the February 22, 2010 trial date. The Court respectfully disagrees and concludes that it is more important to have all of the necessary parties before the Court at this stage in the litigation. Therefore, the Court determines that the motion is well-taken and should be granted.

**IT IS THEREFORE ORDERED** that Defendant's Supplemental Motion for Additional Time to Amend Pleadings and Join Additional Parties [docket no. 59] is hereby granted and

Defendant Domino's is given an extension until July 10, 2009, to name additional parties and amend pleadings. No further extensions will be granted.

Robert Hayes Scott  
ROBERT HAYES SCOTT  
UNITED STATES MAGISTRATE JUDGE